

AN ORDINANCE

TO AMEND SECTION 19-4.1, "TABLE OF USES," SECTION 19-4.3.3, "USE SPECIFIC STANDARDS," SECTION 19-9.1.7, "AMORTIZATION OF NONCONFORMING USES," AND SECTION 19-11.2, "DEFINITIONS," OF THE CODE OF ORDINANCE OF THE CITY OF GREENVILLE TO ESTABLISH STANDARDS FOR DEALERS OF PRECIOUS METALS (Z-6-2013)

WHEREAS, "dealers of precious metals" are not specifically addressed in the current Code of Ordinances; and

WHEREAS, "dealers of precious metals" do not fall under retail or wholesale classifications since they do not sell goods, but are more in character with "check-cashing establishments" where the general public brings in an item of value and leaves with a payment for that item; and

WHEREAS, the concentration of dealers of precious metals presents the same kinds of challenges for neighborhood stability and sustainable economic development of corridors, especially when the corridors are vulnerable; and

WHEREAS, the purpose of this Ordinance is to address "dealers of precious metals" specifically and to classify them in the same way as "check-cashing establishments," "deferred presentment lenders," and "title loan lenders" by limiting the location of such establishments to specific zoning districts to preclude setting up new establishments in close proximity to other lawfully established ones, and to amortize non-conformities which are dealers of precious metals; and

WHEREAS, City Council finds that dealers of precious metal do not exist in as large a number as was the case of lending establishments regulated by Section 19-4.3.3(D)(6) at the time Council first restricted their locations, nor do they at his time generate as intense secondary effects on residential neighborhoods as blood plasma centers and pawn shops; and

WHEREAS, these distinguishing characteristics of quantity and intensity mean that there is a less pressing need to roll back the few nonconforming establishments existing at the time Council adopts this ordinance, and amortization is therefore not yet needed and will not be listed in Section 19-9.1.7, "Amortization of Nonconforming Uses;"

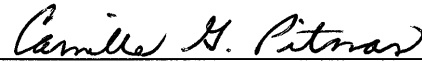
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Section 19-4.1, "Table of Uses," Section 19-4.3.3, "Use Specific Standards," Section 19-9.1.7, "Amortization of Nonconforming Uses," and Section 19-11.2, "Definitions," of the Code of Ordinances of the city of Greenville is amended as described in the Exhibit titled "PROPOSED AMENDMENTS TO ADDRESS 'DEALERS OF PRECIOUS METALS'" which is attached hereto and incorporated herein by reference.

DONE, RATIFIED AND PASSED THIS THE 9 DAY OF September, 2013.



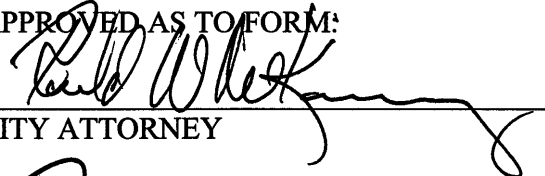
MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED:



CITY MANAGER

EXHIBIT**PROPOSED AMENDMENTS TO ADDRESS 'DEALERS OF PRECIOUS METALS'**

Table 19-4-1. Table of Uses

Use Category	Use Type	R-6	R-9	RM-1	RM-1.5	RM-2	RM-3	OD	C-1	C-2	C-3	C-4	S-1	I-1	RDV	Add'l Regs
Retail Sales and Services	<u>Dealers in Precious Metals</u>										<u>C</u>		<u>P</u>			<u>19-4.3.3(D)(6)</u> <u>And 19-9.2.4(B)</u>

19-4.3.3(D)(6)

Check-cashing establishments, deferred presentment lenders, ~~and~~ title loan companies, and dealers in precious metals. These uses shall comply with the following standards when located in a C-3 zoning district:

- The use shall be located no closer than 3,000 feet, measured lot line to lot line, from the nearest check-cashing establishment, deferred presentment lender, ~~or~~ title loan company, or dealers in precious metals; and
- The uses shall be located within a group nonresidential development, shopping center, or the like with all structures constituting a minimum of 30,000 square feet; or
- The use shall be located wholly within the confines of a grocery store or general merchandise retail establishment having a minimum of 30,000 square feet; and
- The use shall have no separate access to the exterior of the building.

19-9.1.7. Amortization of nonconforming uses. The following nonconforming uses shall be discontinued by June 30, 2015 at the owner's expense with no cash or in-kind payment due from the city:

- Bodily fluid collection establishments.
- Day labor service agencies.
- Check-cashing establishments.
- Title loan lenders.
- Deferred presentment lenders.
- Pawnshops.

The following nonconforming uses shall be discontinued by June 30, 2016, at the owner's expense with no cash or in-kind payment due from the city:

- Dealers in precious metals.

19-11.2. Definitions

Dealers in Precious Metals. A person, corporation, or partnership who, as a principal use, buys precious metal or precious or semiprecious stones or gems from the general public, whether in bulk or in manufactured form, with an intent to obtain a monetary profit for himself or for a principal, as regulated by Title 40-54-10 et. seq. of the SC Code of Laws.

Precious metal. Any article made in whole or in part of gold, silver, or platinum.

Precious or semiprecious stone or gem. Any stone or gem that is rare or costly or any stone or gem that is of lower value than those classified as precious.